

OFFICIAL JOURNAL  
OF THE  
**SENATE**  
OF THE  
STATE OF LOUISIANA

**SEVENTH DAY'S PROCEEDINGS**

**Twenty-Eighth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 22, 2002

The Senate was called to order at 4:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

**ABSENT**

Michot  
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

**Prayer**

The prayer was offered by Mr. Charles Marceaux, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA**  
Office of the Governor

May 21, 2002

The Honorable President and Members of the Senate

Ladies and Gentlemen:

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, Ms. Peggy Wilson has been appointed and previously submitted for your consideration to serve on the Board of Commissioners of the Orleans Levee District.

However, I wish for the confirmation to be stopped and the name withdrawn from submission.

Sincerely,  
M. J. "MIKE" FOSTER, JR.  
Governor

**STATE OF LOUISIANA**  
Office of the Governor

May 20, 2002

To the Honorable President and Members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through May 22, 2002. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for review.

Sincerely,  
M. J. "MIKE" FOSTER, JR.

**ASCENSION**  
Katherine Tess Percy  
712 North Burnside Ave.  
Gonzales, La 70737

**EAST BATON ROUGE**  
Jennifer C. Babin  
114 Nicholls St.  
Donaldsonville, La 70346

Thomas D. Guidry  
9311 Bluebonnet Blvd. Ste B  
Baton Rouge, La 70810

**EVANGELINE**  
Shelia I. Deshotel  
709 Redwood St.  
Mamou, La 70554

Donna Leggett  
1104 Ward C Rd.  
Ville Platte, La 70586

**IBERIA**  
Roger P. Hamilton, Jr.  
P.O. Box 12625  
New Iberia, La 70562

**JEFFERSON**  
Julie Diane Hunt  
1161 Lake Avenue #204  
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**LAFAYETTE**  
Danielle E. Dekerlegand  
100 North State St., Ste. 210  
Abbeville, La 70510

Ellen M. Fruge  
108 Artisan Road  
Lafayette, La 70508

Jennifer R. Minvielle  
800 Lafayette St., Ste. 1200  
Lafayette, La 70501

**LAFOURCHE**

Charles S. Picciola  
201 Green St.  
Thibodaux, La 70302

**ORLEANS**

Carol H. Anderson  
7005 Lawrence Rd., Apt. 317  
New Orleans, La 70126

Catherine Hilton  
829 Baronne St.  
New Orleans, La 70131

Melissa C. Ledet  
1119 Primrose Drive  
Boutte, La 70039

**RAPIDES**

Brandon K. Fontenot  
921 9th St.  
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Fredericka Rae Mathews  
P.O. Box 8555  
Alexandria, La 71301

**SABINE**

Linda G. Ferguson  
315 San Antonio Ave.  
Many, La 71449

**ST LANDRY**

Lisa R. Chavis  
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Opelousas, La 70570

**ST MARY**

Christine Bratkowski  
P.O. Box 1924  
Morgan City, La 70381

**VERMILION**

Angela B. Faulk  
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Abbeville, La 70510

**NATCHITOCHES**

David Scott Kendrick  
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Natchitoches, La 71458-1209

Aris W. Cox  
650 Poydras St., Ste. 1448  
New Orleans, La 70130

Kerrie A. Holmes  
546 Carondelet St.  
New Orleans, La 70130

Michael Sean Reid  
206 Hawthorn Dr.  
Luling, La 70070

Gayla N. Howell  
P.O. Box 1375  
Tioga, La 71477-1375

**ST BERNARD**

Jeanne Nunez Juneau  
2826 Paris Rd.  
Chalmette, La 70043

Ramona V. Thibodeaux  
2897 South Union St.  
Opelousas, La 70570

**ST TAMMANY**

Kristen Pate Biever  
4500 One Shell Square  
New Orleans, La 70139

**Message from the House****CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 22, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 20—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

**A CONCURRENT RESOLUTION**

To establish the Project for a Healthy Environment to Assist Learning in Schools Task Force, referred to as "Project: HEAL Schools", to review current statutory and regulatory requirements for health screenings and procedures in schools.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 23—**

BY SENATOR HOLDEN

**A CONCURRENT RESOLUTION**

To recognize and commend the Southern University men's track team for an outstanding season and for capturing the 2002 Southwestern Athletic Conference indoor and outdoor track and field titles.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 24—**

BY SENATOR HOLDEN

**A CONCURRENT RESOLUTION**

To commend the Southern University baseball team and coaching staff on an outstanding regular season and for capturing their second straight Southwestern Athletic Conference crown.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Senator Lambert in the Chair****Introduction of Resolutions,  
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**Messages from the House**

The following Messages from the House were received and read as follows:

**SENATE RESOLUTION NO. 21—**

BY SENATOR CAIN

**A RESOLUTION**

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Frank Hennigan, husband, father, grandfather, great grandfather, brother, civic/community leader, friend and Christian.

On motion of Senator Cain, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 22—**

BY SENATOR FIELDS

**A RESOLUTION**

To commend Seann August, Almetha Banks, Kimberly Nichole Beshears, Kenyetta Collins, Asley Cox, Jamine Lenore Davis, Brittany Dent, Temycia Gray, Erika Lauren Green, Ashley Ivette Harris, Lauren Rose Jones, Arnessia Malveaux, Brandie Reneé Morgan, Jaelyn Alenzia Odom, Brittany Parker, Johnnay Mechelle Page Smith, Raynhea Muszette Smith, Kimberli Nekedra Thompson, Aislinn Wheeler, and Demetriez Williams, members of the 2002 Debutante Coterie of the Baton Rouge Alumnae Chapter of the Delta Sigma Theta Sorority, Inc.

On motion of Senator Fields, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 23—**

BY SENATOR LAMBERT

**A RESOLUTION**

To commend the East Ascension High School Symphonic Winds Band and Band Director Sheily Bell for winning the National Adjudicator Invitational 2002 Grand National Music Festival.

On motion of Senator Lambert, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 24—**

BY SENATOR LAMBERT

**A RESOLUTION**

To commend the St. Amant High School Symphonic Winds Band and Band Director Craig Millet for placing second in the National Adjudicator Invitational 2002 Grand National Music Festival.

On motion of Senator Lambert, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 25—**

BY SENATOR LAMBERT

**A RESOLUTION**

To commend, recognize, and thank the St. James Parish Economic Development Board, as well as their cooks and servers, for being a participating sponsor for "A Taste of the Senate 2002".

On motion of Senator Lambert, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 25—**

BY SENATOR THEUNISSEN

**A CONCURRENT RESOLUTION**

To urge and request the Aviation Division of the Department of Transportation and Development, in conjunction with the Federal Aviation Administration, the Federal Communications Commission, the Louisiana Police Jury Association, and the Louisiana Municipal Association, to study methods by which to eliminate the hazards unmarked towers present to certain aircraft.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Campbell	Michot
Bajoie	Cravins	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 26—**

BY SENATOR FONTENOT AND REPRESENTATIVE PERKINS

**A CONCURRENT RESOLUTION**

To urge and request a reaffirmation of the principles of government set forth in the Declaration of Independence, articulated by many past presidents, and recognize the influence those principles can have in bolstering the character, honor, and sense of duty in the citizens of our great state and nation.

The resolution was read by title. Senator Fontenot moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Campbell
Bajoie	Michot
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATORS SCHEDLER, THOMAS AND MCPHERSON

#### A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, the Louisiana State University Health Sciences Center-Health Care Services Division, and the Louisiana State University Health Sciences Center-Shreveport to continue their review of a common acute care hospital payment methodology.

The resolution was read by title. Senator Thomas moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	

Gautreaux  
Total—34

Malone

#### NAYS

Total—0

#### ABSENT

Mr. President	Boissiere	Michot
Bajoie	Campbell	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATOR SCHEDLER

#### A CONCURRENT RESOLUTION

To create the Forensic Strategic Task Force to study the feasibility of implementing the components of an effective comprehensive statewide system to address the demands of the increasing adult forensic population and its economic burden on health care services in the state of Louisiana.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Campbell
Bajoie	Michot
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 29—**

BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To designate the week of May 19 through 25, 2002, as Emergency Medical Services Week.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Campbell
Bajoie	Michot
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 30—**

BY SENATOR HOLDEN

**A CONCURRENT RESOLUTION**

To urge and request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee to study the feasibility of establishing a system of priority funding to students who meet all eligibility requirements for the Tuition Opportunity Programs for Students and who enter a program of study leading to a baccalaureate degree in an occupation that has been designated as an area of critical shortage or an occupation in "top demand" by the Louisiana Occupational Forecasting Conference.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

**SENATE CONCURRENT RESOLUTION NO. 31—**

BY SENATOR MCPHERSON

**A CONCURRENT RESOLUTION**

To direct the secretary of Department of Wildlife and Fisheries to place the coordination and administration of the hunter certification and education program under the office of wildlife.

The resolution was read by title. Senator McPherson moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lambert
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	McPherson
Cain	Hines	Mount
Campbell	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bajoie	Marionneaux	Michot
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Mr. President in the Chair**

**SENATE CONCURRENT RESOLUTION NO. 32—**

BY SENATOR HAINKEL

**A CONCURRENT RESOLUTION**

To commend and congratulate Mr. and Mrs. Joseph L. Cambre of Baton Rouge upon the occasion of their fiftieth wedding anniversary.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Bajoie	Fields	Malone

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May 22, 2002

## 7th DAY'S PROCEEDINGS

Barham	Fontenot	McPherson
Bean	Gautreaux	Mount
Boissiere	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Holden	Smith
Chaisson	Hollis	Tarver
Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dean	Johnson	Ullo
Dupre	Jones, C	
Total—35		

NAYS

Total—0

ABSENT

Jones, B	Marionneaux
Lambert	Michot
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 33— BY SENATOR HAINKEL

#### A CONCURRENT RESOLUTION

To commend Deek and Leisa DeBlieux, co-owners of the Red, White, and Brew for their award as the Hammond Chamber of Commerce's Small Business People of the Year.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Jones, B	Michot
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR HAINKEL

#### A CONCURRENT RESOLUTION

To commend Dickie and Rickie Brocato, co-owners of the Crescent Bar and Package Liquor Company for being awarded the Hammond Chamber of Commerce's Small Business of the Year award.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Smith
Campbell	Hollis	Tarver
Chaisson	Hoyt	Theunissen
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones, C	
Dupre	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Fields	Marionneaux	Schedler
Jones, B	Michot	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR HOLDEN

#### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the Wireless Classroom Project being implemented in the state of Georgia and the feasibility of implementing similar pilot programs in Louisiana.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

### Messages from the House

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 22, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 12—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact Section 2 of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1 of Act No. 7 of the 2000 Regular Session of the Legislature, relative to the imposition of the occupational license tax on utilities selling electricity or gas in more than one municipality; to extend the applicability of the law; and to provide for related matters.

**HOUSE BILL NO. 82—**

BY REPRESENTATIVES DANIEL, DIEZ, FAUCHEUX, FLAVIN, FUTRELL, HEBERT, HUDSON, QUEZAIRE, AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 47:301(16)(g)(iii) and (iv), relative to the sales and use tax; to extend the definition of tangible personal property as it applies to excluding certain transactions relating to manufactured homes to all tax authorities in the state; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 73—**

BY REPRESENTATIVES FARRAR AND THOMPSON

**AN ACT**

To enact R.S. 47:305.25(C), relative to exclusions and exemptions from sales and use taxes for farm equipment; to authorize a city or parish school board, the governing authority of any municipality, and the governing authority of any parish to grant an exemption from sales and use taxes for farm equipment; and to provide for related matters.

**HOUSE BILL NO. 114—**

BY REPRESENTATIVE LANDRIEU

**AN ACT**

To amend and reenact R.S. 47:305(D)(5), relative to sales and use tax exemptions; to provide an exemption from local sales and use taxes for certain medical devices and certain prescription drugs; to provide an exemption from local sales taxes for the sale of prescription drugs under the Louisiana Children's Health Insurance Program; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 208—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO

**AN ACT**

To appropriate the sum of Fifty-three Million Three Hundred Eighty-five Thousand Eight Hundred Eighty-seven and No/100 (\$53,385,887.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three

Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million Eight Hundred Forty-six Thousand Six Hundred Forty-eight and No/100 (\$7,846,648.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

**HOUSE BILL NO. 200—**

BY REPRESENTATIVES LEBLANC AND DEWITT

**AN ACT**

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

**HOUSE BILL NO. 49—**

BY REPRESENTATIVES BRUNEAU AND DOWNER

**AN ACT**

To amend and reenact R.S. 4:67(A), relative to boxing and wrestling; to increase the maximum amount of tax proceeds which can be collected by the State Boxing and Wrestling Commission per contest or exhibition; and to provide for related matters.

**HOUSE BILL NO. 53—**

BY REPRESENTATIVES BROOME, CAZAYOUX, AND DEVILLIER

**AN ACT**

To amend and reenact R.S. 33:4574.1-A(A)(1)(jj), relative to the West Baton Rouge Parish Tourist Commission; to increase the maximum rate of the hotel occupancy tax which the commission may levy; and to provide for related matters.

**HOUSE BILL NO. 197—**

BY REPRESENTATIVE SWILLING

**AN ACT**

To enact R.S. 33:2740.36, relative to the levy of taxes on trash and other material dumped in violation of law or ordinance; to authorize the governing body of a business and industrial district located in a municipality with a population in excess of four hundred fifty thousand persons to levy and collect a tax on such trash or material so dumped in the business and industrial district; to provide for the rate, collection, enforcement of collection, and disposition of the avails of such taxes; to provide for appeals; and to provide for related matters.

**HOUSE BILL NO. 258—**

BY REPRESENTATIVE SWILLING

**AN ACT**

To amend and reenact R.S. 33:9072(D)(1), relative to the Lake Forest Estates Improvement special taxing district; to authorize the renewal of the district's special tax or fee; and to provide for related matters.

**HOUSE BILL NO. 259—**

BY REPRESENTATIVE RICHMOND

**AN ACT**

To enact Part III of Chapter 12-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4709.21, relative to certain business and industrial districts; to provide tax

exemptions to certain persons, corporations, or other legal entities that make certain investments in certain business and industrial districts; and to provide for related matters.

**HOUSE BILL NO. 166—**

BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 167—**

BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 169—**

BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To enact R.S. 47:302(P), 321(H), and 331(N), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Hines asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 12—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact Section 2 of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1 of Act No. 7 of the 2000 Regular Session of the Legislature, relative to the imposition of the occupational license tax on utilities selling electricity or gas in more than one municipality; to extend the applicability of the law; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 49—**

BY REPRESENTATIVES BRUNEAU AND DOWNER  
AN ACT

To amend and reenact R.S. 4:67(A), relative to boxing and wrestling; to increase the maximum amount of tax proceeds which can be collected by the State Boxing and Wrestling Commission per contest or exhibition; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 53—**

BY REPRESENTATIVES BROOME, CAZAYOUX, AND DEVILLIER  
AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(jj), relative to the West Baton Rouge Parish Tourist Commission; to increase the maximum rate of the hotel occupancy tax which the commission may levy; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 73—**

BY REPRESENTATIVES FARRAR AND THOMPSON  
AN ACT

To enact R.S. 47:305.25(C), relative to exclusions and exemptions from sales and use taxes for farm equipment; to authorize a city or parish school board, the governing authority of any municipality, and the governing authority of any parish to grant an exemption from sales and use taxes for farm equipment; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 82—**

BY REPRESENTATIVES DANIEL, DIEZ, FAUCHEUX, FLAVIN, FUTRELL, HEBERT, HUDSON, QUEZAIRE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 47:301(16)(g)(iii) and (iv), relative to the sales and use tax; to extend the definition of tangible personal property as it applies to excluding certain transactions relating to manufactured homes to all tax authorities in the state; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 114—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To amend and reenact R.S. 47:305(D)(5), relative to sales and use tax exemptions; to provide an exemption from local sales and use taxes for certain medical devices and certain prescription drugs; to provide an exemption from local sales taxes for the sale of prescription drugs under the Louisiana Children's Health Insurance Program; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 166—**

BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 167—**

BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 169—**

BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To enact R.S. 47:302(P), 321(H), and 331(N), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 197—**

BY REPRESENTATIVE SWILLING  
AN ACT

To enact R.S. 33:2740.36, relative to the levy of taxes on trash and other material dumped in violation of law or ordinance; to authorize the governing body of a business and industrial district located in a municipality with a population in excess of four hundred fifty thousand persons to levy and collect a tax on such trash or material so dumped in the business and industrial district; to provide for the rate, collection, enforcement of collection, and disposition of the avails of such taxes; to provide for appeals; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 200—**

BY REPRESENTATIVES LEBLANC AND DEWITT  
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 208—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO

AN ACT

To appropriate the sum of Fifty-three Million Three Hundred Eighty-five Thousand Eight Hundred Eighty-seven and No/100 (\$53,385,887.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million Eight Hundred Forty-six Thousand Six Hundred Forty-eight and No/100 (\$7,846,648.00) Dollars out of self-generated funds, to

defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 258—**

BY REPRESENTATIVE SWILLING  
AN ACT

To amend and reenact R.S. 33:9072(D)(1), relative to the Lake Forest Estates Improvement special taxing district; to authorize the renewal of the district's special tax or fee; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 259—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact Part III of Chapter 12-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4709.21, relative to certain business and industrial districts; to provide tax exemptions to certain persons, corporations, or other legal entities that make certain investments in certain business and industrial districts; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

May 22, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 21—**

BY REPRESENTATIVE MORRELL  
A CONCURRENT RESOLUTION

To direct the Louisiana Gaming Control Board to prospectively apply any rule changes affecting the issuance of key and non-key gaming employee permits.

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVE ILES

**A CONCURRENT RESOLUTION**

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to meet and function as a joint committee and study the issue of requiring health insurance coverage for outpatient lactation support assistance for new mothers.

**HOUSE CONCURRENT RESOLUTION NO. 36—**

BY REPRESENTATIVE CAZAYOUX

**A CONCURRENT RESOLUTION**

To create a committee to evaluate and recommend potential sites for a state park and other recreational activities in and around Pointe Coupee Parish and to urge and request the office of state parks to study the feasibility of establishing a state park and other recreational activities at sites recommended by the committee and to report its findings to the legislature.

**HOUSE CONCURRENT RESOLUTION NO. 43—**

BY REPRESENTATIVE BROOME

**A CONCURRENT RESOLUTION**

To commend the Girl Scouts of the USA on the ninetieth anniversary of girl scouting.

**HOUSE CONCURRENT RESOLUTION NO. 44—**

BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To endorse the Canine Good Citizen programs sponsored by the American Kennel Club.

**HOUSE CONCURRENT RESOLUTION NO. 45—**

BY REPRESENTATIVE BEARD

**A CONCURRENT RESOLUTION**

To encourage the citizens of Louisiana to recognize the importance of the principles of the Declaration of Independence.

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE DANIEL

**A CONCURRENT RESOLUTION**

To commend the coaches and members of the boys basketball team, girls golf team, boys golf team, and girls tennis team of Louisiana State University Laboratory High School for winning the Louisiana Class 2A state championships.

**HOUSE CONCURRENT RESOLUTION NO. 47—**

BY REPRESENTATIVES TRICHE, BALDONE, DOWNER, PITRE, AND WOOTON

**A CONCURRENT RESOLUTION**

To commend Army Reserve Lieutenant Colonel Myron M. Fonseca upon being selected to take command of the 260<sup>th</sup> Quartermaster Battalion (PS).

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Senator Lambert in the Chair****House Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 21—**

BY REPRESENTATIVE MORRELL

**A CONCURRENT RESOLUTION**

To direct the Louisiana Gaming Control Board to prospectively apply any rule changes affecting the issuance of key and non-key gaming employee permits.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary B.

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVE ILES

**A CONCURRENT RESOLUTION**

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to meet and function as a joint committee and study the issue of requiring health insurance coverage for outpatient lactation support assistance for new mothers.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 36—**

BY REPRESENTATIVE CAZAYOUX

**A CONCURRENT RESOLUTION**

To create a committee to evaluate and recommend potential sites for a state park and other recreational activities in and around Pointe Coupee Parish and to urge and request the office of state parks to study the feasibility of establishing a state park and other recreational activities at sites recommended by the committee and to report its findings to the legislature.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

**HOUSE CONCURRENT RESOLUTION NO. 43—**

BY REPRESENTATIVE BROOME

**A CONCURRENT RESOLUTION**

To commend the Girl Scouts of the USA on the ninetieth anniversary of girl scouting.

The resolution was read by title. Senator Lambert moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler

Campbell  
Chaisson  
Dardenne  
Dupre  
Ellington  
Fields  
Total—35

Hoyt  
Irons  
Johnson  
Jones, C  
Lambert  
Lentini  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Cravins  
Dean  
Total—4

Jones, B  
Michot

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 44—**  
BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To endorse the Canine Good Citizen programs sponsored by the American Kennel Club.

The resolution was read by title. Senator Thomas moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Dardenne  
Dupre  
Ellington  
Fields  
Total—34

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, C  
Lambert  
Lentini  
Malone  
Marionneaux  
McPherson  
Mount  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Cravins  
Dean  
Total—5

Jones, B  
Michot  
Romero

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 45—**

BY REPRESENTATIVE BEARD

**A CONCURRENT RESOLUTION**

To encourage the citizens of Louisiana to recognize the importance of the principles of the Declaration of Independence.

The resolution was read by title. Senator Fontenot moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Dardenne  
Dupre  
Ellington  
Fields  
Total—35

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, C  
Lambert  
Lentini  
Malone  
Marionneaux  
McPherson  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Cravins  
Dean  
Total—4

Jones, B  
Michot

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE DANIEL

**A CONCURRENT RESOLUTION**

To commend the coaches and members of the boys basketball team, girls golf team, boys golf team, and girls tennis team of Louisiana State University Laboratory High School for winning the Louisiana Class 2A state championships.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Bajoie  
Barham  
Bean

Fields  
Fontenot  
Gautreaux  
Heitmeier  
Lentini  
Malone  
Marionneaux  
McPherson

Boissiere  
Cain  
Campbell  
Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Total—34

Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, C  
Lambert

Romero  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Cravins  
Jones, B  
Total—5

Michot  
Mount

Schedler

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVES TRICHE, BALDONE, DOWNER, PITRE, AND WOOTON

#### A CONCURRENT RESOLUTION

To commend Army Reserve Lieutenant Colonel Myron M. Fonseca upon being selected to take command of the 260<sup>th</sup> Quartermaster Battalion (PS).

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Total—35

Fields  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, C  
Lambert

Lentini  
Malone  
Marionneaux  
McPherson  
Mount  
Romero  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Cravins  
Jones, B  
Total—4

Michot  
Schedler

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### Reports of Committees

The following reports of committees were received and read:

#### REPORT OF COMMITTEE ON

#### REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 22, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

#### SENATE BILL NO. 58—

BY SENATOR BARHAM

#### AN ACT

To amend and reenact R.S. 47:603, relative to the corporation franchise tax; to exclude from borrowed capital certain indebtedness of vehicle, boat, and equipment dealers; to provide for an effective date; and to provide for related matters.

Reported with amendments.

#### SENATE BILL NO. 84—

BY SENATOR ELLINGTON

#### AN ACT

To enact R.S. 47:301(10)(v), relative to sales tax exclusions; to provide a sales tax exclusion for the purchase, sale, lease or rental of wireless telephone equipment; and to provide for related matters.

Reported by substitute.

Respectfully submitted,  
ROBERT J. BARHAM  
CHAIRMAN

#### REPORT OF COMMITTEE ON

#### REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 21, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

#### SENATE BILL NO. 53—

BY SENATOR ROMERO

AN ACT

To enact R.S. 47:301(16)(h), (22) and (23); relative to state and local sales and use tax; to define tangible personal property to exclude certain digital broadcasting conversion equipment; to provide a tax credit for the purchase of certain equipment; to provide an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 143—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 47:287.86(I), relative to the corporation income tax; to provide relative to the use of the net operating loss deduction after certain reorganizations; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 145—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 47:6006(A), 6006.1(A) and (B)(introductory paragraph), 6008(A), 6012(B), and 6014(B) and to enact R.S. 47:6006.1(B)(6) and 6014(C)(7), relative to certain tax credits; to clarify the tax credits that estates and trusts are allowed to receive; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 146—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To repeal R.S. 47:633.1, relative to the severance tax; to repeal the special rate for gas sold under certain written agreements; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 147—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 26:345 and 347, relative to alcoholic beverage taxes; to provide for tax credit or refund of taxes paid on certain unsaleable products of low alcoholic content; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 47:1205(A), relative to the gift tax; to provide for an annual exclusion from the tax; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 149—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 47:287.92(B) and 287.93(A) and to repeal R.S. 47:287.94(H) and (I) and 287.95(I), relative to income tax; to provide for segregation of items of gross income, computation of net allocable income from Louisiana sources, computation of net apportionable income for Louisiana sources, and determination of Louisiana apportionment percent; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 150—**

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 47:287.732(A) and to enact R.S. 47:287.732(C) and 287.732.1, relative to the state income tax liability of S corporations and qualified Subchapter S subsidiary corporations; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

**REPORT OF COMMITTEE ON**

**EDUCATION**

Senator Theunissen, Chairman on behalf of the Committee on Education, submitted the following report:

May 16, 2002

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 14—**

BY REPRESENTATIVES TRICHE, E.ALEXANDER, CRANE, CROWE, HONEY, HUDSON, KENNARD, KENNEY, NEVERS, PEYCHAUD, POWELL, SALTER, SWILLING, AND WINSTON

A CONCURRENT RESOLUTION

To urge and request the state Board of Elementary and Secondary Education to develop and implement an age and grade appropriate curriculum for diabetes awareness education and a policy for school diabetes screenings in all city, parish, and other local public school systems.

Reported favorably.

Respectfully submitted,  
GERALD J. THEUNISSEN  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 22, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

**SENATE RESOLUTION NO. 3—**

BY SENATOR MCPHERSON

**A RESOLUTION**

To amend and readopt Senate Rule Nos. 10.17(A) and (B) and 13.21 and to adopt Senate Rule No. 13.63(C) of the Rules of Order of the Senate, relative to the passage of legislative instruments in the Senate; to provide for a committee report on legislative instruments; to provide for returning a legislative instrument to the calendar; to provide for the conference committee procedure regarding bills; and to provide for related matters.

Reported with amendments.

**SENATE RESOLUTION NO. 6—**

BY SENATORS HAINKEL AND HOLLIS

**A RESOLUTION**

To amend and readopt Senate Rule Nos. 13.1(A)(2), and (F), and 13.4(2) of the Rules of Order of the Senate to establish the Senate Committee on Commerce, Consumer Protection, and International Affairs; to provide for the subject matter jurisdiction of the committee; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Heitmeier asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**SENATE BILL NO. 53—**

BY SENATOR ROMERO

**AN ACT**

To enact R.S. 47:301(16)(h), (22) and (23); relative to state and local sales and use tax; to define tangible personal property to exclude certain digital broadcasting conversion equipment; to provide a tax credit for the purchase of certain equipment; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 53 by Senator Romero

**AMENDMENT NO. 1**

On page 1, line 2, change "(h), (22), and (23)" to "(i), (24), and (25)"

**AMENDMENT NO. 2**

On page 1, line 8, change "(h), (22), and (23)" to "(i), (24), and (25)"

**AMENDMENT NO. 3**

On page 2, line 1, change "(h) The" to "(i)(i) For purposes of the sales and use tax of the state and its political subdivisions, the"

**AMENDMENT NO. 4**

On page 2, line 6, change "(22)" to "(24)"

**AMENDMENT NO. 5**

On page 3, line 16, change "(23)" to "(25)"

**AMENDMENT NO. 6**

On page 4, line 13, after "Communications" insert "Commission"

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 58—**

BY SENATOR BARHAM

**AN ACT**

To amend and reenact R.S. 47:603, relative to the corporation franchise tax; to exclude from borrowed capital certain indebtedness of vehicle, boat, and equipment dealers; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 58 by Senator Barham

**AMENDMENT NO. 1**

On page 3, line 7, after "motor vehicle," insert "manufactured home, recreational vehicle,"

**AMENDMENT NO. 2**

On page 3, line 9, after "motor vehicles," insert "manufactured homes, recreational vehicles,"

**AMENDMENT NO. 3**

On page 3, line 12, after "motor vehicle," insert "manufactured home, recreational vehicle,"

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 84—**

BY SENATOR ELLINGTON

**AN ACT**

To enact R.S. 47:301(10)(v), relative to sales tax exclusions; to provide a sales tax exclusion for the purchase, sale, lease or rental of wireless telephone equipment; and to provide for related matters.

Reported by substitute by the Committee on Revenue and Fiscal Affairs. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. (Substitute for Senate Bill No. 84 by Senator Ellington)**

BY SENATOR ELLINGTON

**AN ACT**

To enact R.S. 47:301(10)(v), (13)(g), and (18)(i), relative to sales and use taxes; to provide for the taxation of the sale or other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for applicability of the Act to certain claims and actions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:301(10)(v), (13)(g), and (18)(i) are hereby enacted to read as follows:

**§301. Definitions**

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(10)

\* \* \*

**(v) For purposes of the imposition of sales and use taxes imposed or levied by all taxing authorities in the state, in the case of the sale or other disposition by a dealer of any cellular, PCS, or wireless telephone used in connection with the sale or use of mobile telecommunications services, the term "retail sale" or "sale at retail" shall mean and include the sale or any other disposition of each telephone by the dealer to the purchaser, but shall not mean or include the withdrawal, use, distribution, consumption, storage, donation, or any other disposition of any such telephone. For purposes of this Section, the term "mobile telecommunications services" shall have the same meaning as that term has in R.S. 47:301(14)(i)(ii)(bb).**

\* \* \*

(13)

\* \* \*

**(g) For purposes of the imposition of sales and use taxes imposed or levied by all taxing authorities in the state, in the case of the retail sale by a dealer of any cellular, PCS, or wireless telephone used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(v), the term "sales price" shall mean and include only the amount of money, if any, actually received by the dealer from the purchaser for each such telephone, but shall not include (i) any amount received by the dealer from the purchaser for providing mobile telecommunications services, and (ii) any commissions, fees, rebates, or other amounts received by the dealer from any source other than the purchaser as a result of or in connection with the sale of the telephone.**

\* \* \*

(18)

\* \* \*

**(i) For purposes of the imposition of sales and use taxes imposed or levied by all taxing authorities in the state, in the case of the sale or any other disposition by a dealer of any cellular, PCS, or wireless telephone used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(v), the term "use" shall not include the withdrawal, use, distribution, consumption, storage, donation, or any other disposition of any such telephone by the dealer.**

\* \* \*

Section 2. The provisions of this Act are interpretative of R.S. 47:301(10), (13), and (18) and are intended to explain and clarify their original intent, notwithstanding the contrary interpretation given in "Calcasieu Parish School Board v. Mercury Cellular Telephone Company", 2000-0318 (La. App. 3 Cir. 12/13/00), 773 So. 2d 914, writ denied, 2001-0126 (La. 3/16/01), 787 So. 2d 314, and all cases consistent therewith. Therefore, the provisions of this Act shall be applicable to all claims existing or actions pending on its effective date and to all claims arising or actions filed on and after its effective date; provided that this Act shall not authorize or require a refund of tax, penalty, interest, attorney fees or other charges related to such tax (1) voluntarily paid before the effective date of this Act or (2) paid because of a judgment which has become final and non-appealable before such effective date.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Barham, the committee substitute bill was adopted and becomes Senate Bill No. 86 by Senator Ellington, substitute for Senate Bill No. 84 by Senator Ellington.

**SENATE BILL NO. 86 (Substitute for Senate Bill No. 84 by Senator Ellington)—**

BY SENATOR ELLINGTON

**AN ACT**

To enact R.S. 47:301(10)(v), (13)(g), and (18)(i), relative to sales and use taxes; to provide for the taxation of the sale or other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for applicability of the Act to certain claims and actions; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Mr. President in the Chair**

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 143—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:287.86(I), relative to the corporation income tax; to provide relative to the use of the net operating loss deduction after certain reorganizations; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 145—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:6006(A), 6006.1(A) and (B)(introductory paragraph), 6008(A), 6012(B), and 6014(B) and to enact R.S. 47:6006.1(B)(6) and 6014(C)(7), relative to certain tax credits; to clarify the tax credits that estates and trusts are allowed to receive; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 146—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To repeal R.S. 47:633.1, relative to the severance tax; to repeal the special rate for gas sold under certain written agreements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 147—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 26:345 and 347, relative to alcoholic beverage taxes; to provide for tax credit or refund of taxes paid on certain unsaleable products of low alcoholic content; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:1205(A), relative to the gift tax; to provide for an annual exclusion from the tax; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 149—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:287.92(B) and 287.93(A) and to repeal R.S. 47:287.94(H) and (I) and 287.95(I), relative to income tax; to provide for segregation of items of gross income, computation of net allocable income from Louisiana sources, computation of net apportionable income for Louisiana sources, and determination of Louisiana apportionment percent; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 150—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:287.732(A) and to enact R.S. 47:287.732(C) and 287.732.1, relative to the state income tax liability of S corporations and qualified Subchapter S subsidiary corporations; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 22 from the Committee on Transportation, Highways, and Public Works.

**SENATE CONCURRENT RESOLUTION NO. 22—**

BY SENATOR SCHEDLER  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect commemorative signs along the West Florida Republic Parkway.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bajoie	Michot
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 8 from the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 8—**  
BY REPRESENTATIVE BAUDOUIN**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to assist the Federal Trade Commission, the Food and Drug Administration, and the U.S. Department of Agriculture in addressing the potential human health risks associated with chloramphenicol residues found in crawfish, shrimp, and prawns imported from China.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Mount
Boissiere	Hines	Romero

Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, C	
Ellington	Lambert	
Total—37		

**NAYS**

Total—0

**ABSENT**

Marionneaux	Michot
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution, and ordered it returned to the House.

**Senate Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 11—**  
BY SENATOR HINES**AN ACT**

To amend and reenact R.S. 47:305.14(A), relative to sales tax; to provide for an exemption to the state and political subdivisions sales and use tax for nonprofit organizations; to provide for an exemption from such taxes for nonprofit literacy organizations; to provide for certain definitions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 11 by Senator Hines

**AMENDMENT NO. 1**

On page 1, line 2, following "To" and before "R.S." change "amend and reenact" to "enact"

**AMENDMENT NO. 2**

On page 1, line 2, following "47:305.14(A)" and before ", relative" insert "(5)"

**AMENDMENT NO. 3**

On page 1, line 8, following "47:305.14(A)" and before "is" insert "(5)"

**AMENDMENT NO. 4**

On page 1, line 8, following "hereby" and before "to" change "amended and reenacted" to "enacted"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Hines moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Bajoie	Fields	Lambert
Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	McPherson
Cain	Hines	Mount
Campbell	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Mr. President	Marionneaux	Michot
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 62—

BY SENATORS LENTINI, BARHAM, CAIN, DUPRE, HEITMEIER, HOYT, MCPHERSON, MOUNT, SCHEDLER, SMITH, THEUNISSEN, THOMAS, BEAN AND GAUTREAUX AND REPRESENTATIVES ALARIO, BALDONE, CURTIS, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, DURAND, FARRAR, FLAVIN, FUTRELL, GUILLORY, HEATON, L. JACKSON, JOHNS, LANDRIEU, MONTGOMERY, ODINET, PITRE, RIDDLE, STELLY, STRAIN, TOWNSEND, TUCKER, WINSTON, WOOTON, FRUGE, POWELL, JACK SMITH AND WALSWORTH

### AN ACT

To amend and reenact R.S. 47:305.1(C) and to enact R.S. 47:305.1(D), relative to sales and use tax as it applies to ships and ships' supplies; to define "foreign or interstate coastwise commerce" with respect to the exemption provided for certain owners and operators of ships or vessels operating in such commerce; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Fields	Marionneaux	Michot
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 70—

BY SENATORS LENTINI, BARHAM, CAIN, DUPRE, HEITMEIER, HOYT, MCPHERSON, MOUNT, SCHEDLER, SMITH, THEUNISSEN, THOMAS, BEAN, GAUTREAUX AND ROMERO AND REPRESENTATIVES ALARIO, BALDONE, CURTIS, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, DURAND, FARRAR, FLAVIN, FUTRELL, GUILLORY, HEATON, L. JACKSON, JOHNS, LANDRIEU, MONTGOMERY, ODINET, PITRE, RIDDLE, STELLY, STRAIN, TOWNSEND, TUCKER, WINSTON, WOOTON, FRUGE, POWELL, JACK SMITH AND WALSWORTH

### AN ACT

To amend and reenact R.S. 47:305.1(C) and to enact R.S. 47:305.1(D), relative to exclusions and exemptions from state and local sales and use tax for ships and ships' supplies; to provide for an exemption for certain shipbuilding materials, equipment, and machinery from such tax; to define "foreign or interstate coastwise commerce" with respect to the exemption provided for certain owners and operators of ships or vessels operating in such commerce; and to provide for related matters.

## Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 70 by Senator Lentini

### AMENDMENT NO. 1

On page 4, line 8, delete "R.S. 47:305.1(D) as enacted in"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Total—35		

#### NAYS

Total—0

#### ABSENT

Fields	Marionneaux
Irons	Michot
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### Introduction of Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

#### SENATE CONCURRENT RESOLUTION NO. 36— BY SENATOR HINES AND REPRESENTATIVE R. ALEXANDER A CONCURRENT RESOLUTION

To proclaim May 28, 2002, as "American Cancer Society Relay For Life Day".

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Jones, B	Michot
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### Privilege Report of the Legislative Bureau

May 22, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

#### HOUSE BILL NO. 143—

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:287.86(I), relative to the corporation income tax; to provide relative to the use of the net operating loss deduction after certain reorganizations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

#### HOUSE BILL NO. 145—

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:6006(A), 6006.1(A) and (B)(introductory paragraph), 6008(A), 6012(B), and 6014(B) and to enact R.S. 47:6006.1(B)(6) and 6014(C)(7), relative to

certain tax credits; to clarify the tax credits that estates and trusts are allowed to receive; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 146—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To repeal R.S. 47:633.1, relative to the severance tax; to repeal the special rate for gas sold under certain written agreements; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 147—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 26:345 and 347, relative to alcoholic beverage taxes; to provide for tax credit or refund of taxes paid on certain unsaleable products of low alcoholic content; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:1205(A), relative to the gift tax; to provide for an annual exclusion from the tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 149—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:287.92(B) and 287.93(A) and to repeal R.S. 47:287.94(H) and (I) and 287.95(I), relative to income tax; to provide for segregation of items of gross income, computation of net allocable income from Louisiana sources, computation of net apportionable income for Louisiana sources, and determination of Louisiana apportionment percent; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 150—**

BY REPRESENTATIVES HAMMETT AND DEWITT  
AN ACT

To amend and reenact R.S. 47:287.732(A) and to enact R.S. 47:287.732(C) and 287.732.1, relative to the state income tax liability of S corporations and qualified Subchapter S subsidiary corporations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Message from the House****SIGNED HOUSE CONCURRENT RESOLUTIONS**

May 22, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 38—**

BY REPRESENTATIVE NEVERS  
A CONCURRENT RESOLUTION

To honor the foster parents of the year 2002 in each region and to express the appreciation of the legislature for their valuable contribution to strengthen family life in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 40—**

BY REPRESENTATIVE WINSTON  
A CONCURRENT RESOLUTION

To recognize the contributions of direct support professionals to the health and care of the developmentally disabled citizens of this state and to designate May 16, 2002, as Direct Support Professionals Appreciation Day at the legislature.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs****ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 22, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 13—**

BY SENATORS GAUTREAU, CHAISSON, DUPRE, HOLLIS, LAMBERT, MARIONNEAUX, MCPHERSON, ROMERO, SMITH, BAJOE, BARHAM, BEAN, BOISSIERE, CRAVINS, DARDENNE, ELLINGTON, FONTENOT, HINES, HOLDEN, HOYT, B. JONES, MALONE, MOUNT, SCHEDLER, THEUNISSEN AND ULLO AND REPRESENTATIVES BAUDOUIN, DOWNER, DURAND, FUTRELL, KENNARD, LAFLEUR, TRICHE, AND THOMPSON

**A CONCURRENT RESOLUTION**

To urge and request the commissioner of agriculture to require that all shrimp and crawfish meet U.S. Food and Drug Administration standards regarding chloramphenicol prior to sale in Louisiana.

**SENATE CONCURRENT RESOLUTION NO. 15—**

BY SENATOR HINES AND REPRESENTATIVE RIDDLE

**A CONCURRENT RESOLUTION**

To commend St. Anthony School BETA Club on placing first in the Group Talent competition at the 2002 State BETA Convention.

**SENATE CONCURRENT RESOLUTION NO. 16—**

BY SENATORS DUPRE AND ULLO

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to impose a quota on certain imported seafood.

**SENATE CONCURRENT RESOLUTION NO. 18—**

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY

**A CONCURRENT RESOLUTION**

To commend K. J. Choi on being the first South Korean golfer to win a PGA Tour event.

**SENATE CONCURRENT RESOLUTION NO. 19—**

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY

**A CONCURRENT RESOLUTION**

To recognize and commend the Southern University women's basketball team for an outstanding season and for capturing the Southwestern Athletic Conference championship.

**SENATE CONCURRENT RESOLUTION NO. 21—**

BY SENATOR HEITMEIER AND REPRESENTATIVE TUCKER

**A CONCURRENT RESOLUTION**

To urge and request the governor of the state of Louisiana to continue to work with private investors and the Millennium Port Authority and to make the development and construction of the millennium port a priority for his administration during the remainder of his term of office.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Michot            1 Day

**Adjournment**

Senator Lambert moved that the Senate adjourn until Thursday, May 23, 2002, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Thursday, May 23, 2002.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk